

**LAPEER CITY COMMISSION  
MINUTES OF A REGULAR MEETING  
JULY 6, 2020**

A regular meeting of the Lapeer City Commission was held July 6, 2020 electronically via GoToMeeting and at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

**ROLL CALL**

Present: Mayor Marquardt.

Commissioners: Atwood, Cattane, Osentoski, Pattison, Stroh.

Absent: None.

City Manager: Dale Kerbyson, present.

City Attorney: Michael Nolan, present.

Mayor Marquardt led the Pledge of Allegiance.

**125 2020 07-06 AGENDA APPROVAL**

Motion by Cattane. Seconded by Pattison.

Approve the Agenda for July 6, 2020 as presented.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane Osentoski. Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

**126 2020 07-06 MINUTES**

Motion by Stroh. Seconded by Cattane.

Approve the minutes of the Regular Meeting held June 15, 2020.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

**PUBLIC COMMENTS**

Bernard Jocuns, 682 Pine Street, shared his views in favor of the Indigenous People's Day Resolution.

Gabe Parton Lee, legal counsel for Northwest Confections Michigan LLC, a medical marijuana processing facility located at 525 S. Court St. asked the Commission to urge the Planning Commission to conduct their August meeting virtually and not cancel it as was done with the July meeting.

**127 2020 07-06 CONSENT AGENDA**

Motion by Osentoski. Seconded by Atwood.

Approve the Consent Agenda for July 6, 2020 resulting in the following:

1. Special Event Amendment Request from the Kiwanis Club of Lapeer to add Kona Ice and up to four Food Trucks to their Rubber Duck Dash event for September 19, 2020 which was approved on February 17, 2020.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

**PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS**

**128 2020 07-06 INDIGENOUS PEOPLE'S DAY RESOLUTION**

Motion by Pattison. Seconded by Cattane.

Approve the Indigenous People's Day Resolution replacing Columbus Day, on the Second Monday of October or each year beginning in the year 2020 and going forward.

## Indigenous People's Day Resolution

**WHEREAS**, the City of Lapeer recognizes the annexation of the Odawa, Ojibwe, and Potawatomi Indigenous Nations who have lived upon this land since time immemorial and values the progress our society has accomplished through Native American thought and culture; and

**WHEREAS**, the City of Lapeer understands that in order to help close the equity gap, government entities, organizations, and other public institutions must change their policies and practices to better reflect experiences of Native American peoples and uplift our country's indigenous roots, history, and contributions; and

**WHEREAS**, the idea of Indigenous People's Day was first proposed in 1977 by a delegation of Native Nations to the United Nations – sponsored International Conference on Discrimination Against Indigenous Populations in the Americas; and

**WHEREAS**, in 1990, representatives from 120 Indigenous Nations at the First Continental Conference on 500 Years of Indian Resistance unanimously passed a resolution to transform Columbus Day into an opportunity to educate the rest of the country about pre-existing indigenous cultures that have survived an often violent colonization process and continue to exist and thrive in present day America; and

**WHEREAS**, some States, including the States of Alaska, Hawaii, Oregon and South Dakota do not recognize Columbus Day; and

**WHEREAS**, the cities of Berkeley, CA; Albuquerque, New Mexico; Minneapolis, MN, and others, have voted to recognize Indigenous People's Day to honor the culture, heritage and contributions of Native Americans; and

**WHEREAS**, in Michigan, Traverse City, Alpena, and Ann Arbor have voted to recognize the second Monday of October as Indigenous People's Day to honor the culture, heritage and contributions of Native Americans; and

**WHEREAS**, the Tribal Council of the Grand Traverse Band of Ottawa and Chippewa Indians has passed a resolution: (1) officially recognizing Indigenous People's Day on the second Monday in October; (2) stating that Indigenous People's Day shall be used to reflect upon the ongoing struggles of indigenous peoples on this land; and (3) to celebrate the thriving cultures and value that the Odawa, Ojibwe, Potawatomi, and other indigenous peoples contribute to society.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Lapeer shall recognize Indigenous People's Day, replacing Columbus Day, on the second Monday of October;

**IT IS FURTHER RESOLVED** that Indigenous People's Day shall be used to reflect upon the ongoing struggles of indigenous peoples on this land and to celebrate the thriving cultures and value that the Odawa, Ojibwe, Potawatomi, and other indigenous peoples contribute to communities throughout Michigan, the United States of America, and all over the world;

**IT IS FURTHER RESOLVED** that the City of Lapeer encourages other businesses, organizations and public entities to recognize Indigenous People's Day.

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

### **PUBLIC HEARINGS**

None.

### **ADMINISTRATIVE REPORTS**

#### **129 2020 07-06 ZONING TEXT AMENDMENT**

Commissioner Pattison introduced an ordinance amendment Chapter 7, Sec 7-16.04, 7-16.05, 7-16.08, and 7-18.04 regarding the off-street parking lot areas and terminology.

#### **130 2020 07-06 2020-2021 SOLID WASTE LICENSES**

Motion by Atwood. Seconded by Stroh.

Approve the Solid Waste Licenses for 2020-2021 for Republic Services, Rick Rhein Disposal, Advance Disposal and Deerfield Disposal.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

**131 2020 07-06 SECONDHAND DEALER AND PAWNBROKER**

Motion by Osentoski. Seconded by Atwood.

Mayor to approve the secondhand dealer and pawnbroker license for Lapeer Gold & Loan located at 801 East Street.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

**132 2020 07-06 IT AND CYBERSCEURITY ASSESSMENT**

Motion by Stroh. Seconded by Pattison.

Approve the contract with Plante Moran in the amount of \$34,790 for an IT and Cybersecurity Assessment for the City of Lapeer.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

**CITY MANAGER'S REPORT**

City Manager Kerbyson stated that the Planning Commission did meet on June 16, 2020; therefore, business is not being halted as was previously stated.

**CITY ATTORNEY'S REPORT**

City Attorney Nolan stated that he and the City Manager worked on the contract with Plante Moran and he is happy the Commission has approved it.

**UNFINISHED BUSINESS**

**133 2020 07-06 APPOINTMENT – DOWNTOWN DEVELOPMENT AUTHORITY**

Appointment by Mayor Marquardt. Motion by Cattane. Seconded by Osentoski.

Appoint Michael J. Burke Jr. to the Downtown Development Authority for a term to expire January 1, 2023.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

**134 2020 07-06 RE-APPOINTMENT – LAPEER HOUSING COMMISSION**

Appointment by Mayor Marquardt. Motion by Osentoski. Seconded by Stroh.

Re-appoint Kerri Roberts to the Lapeer Housing Commission for a term to expire August 1, 2025.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

**135 2020 07-06 RE-APPOINTMENT – LAPEER NEIGHBORHOODS, INC.**

Appointment by Mayor Marquardt. Motion by Cattane. Seconded by Pattison.

Re-appoint James Mikus and Jennell RaCosta to Lapeer Neighborhoods, Inc. for a term to expire August 1, 2022.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

**136 2020 07-06 RE-APPOINTMENT – PLANNING COMMISSION**

Appointment by Mayor Marquardt. Motion by Pattison. Seconded by Cattane.  
Re-appoint Austin Kelly to the Planning Commission for a term to expire August 1, 2023.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

**137 2020 07-06 RE-APPOINTMENT – YOUTH COUNCIL**

Appointment by Mayor Marquardt. Motion by Stroh. Seconded by Osentoski.  
Re-appoint Joshua Atwood to the Youth Council, as Commission Representative for a term to expire July 1, 2021.

ON A ROLL CALL VOTE:

Ayes: Atwood, Cattane, Osentoski, Pattison, Stroh.

Nays: None.

Absent: None.

MOTION CARRIED.

**PUBLIC COMMENTS**

None.

**DEPARTMENTAL COMMUNICATIONS**

Medical Marihuana Licenses Provisioning Center was received into the record as presented.

**MAYOR/COMMISSIONER COMMENTS**

Commissioner Cattane: Requested that all Boards and Commissions of the City of Lapeer go to virtual meetings or meet outside; boards need to be able to conduct business and would like to see this as an agenda item at the next meeting. Requested that the recreational marihuana topic be on the next agenda and possibly have the next Commission meeting outdoors so others who do not have access to virtual meetings can attend.

Commissioner Atwood: Reached out to First Nations People asking for their opinion about the resolution presented tonight; we cannot rewrite or delete history but we can learn from it and make necessary changes; well written resolution.

Commissioner Stroh: Cultural Arts are taking it hard as most productions have been shuttered until 2021. Support the cultural arts that are available now; thanked Donna Crouce and Mike Nolan for their help on the new Art Council for the Commission to consider; thanked the Lapeer Area businesses for their efforts at keeping people safe from COVID-19; everyone be safe and follow the orders.

Commissioner Osentoski: Group starting the ballot initiative to allow recreational marihuana are not City residents; let the ballot initiative go on the ballot and be voted on by the residents of the City of Lapeer; will be voting “No” on the EMS proposal.

Commissioner Pattison: COVID-19 is not going away; please continue to maintain social distancing; Commission will continue to conduct our meetings virtually.

Mayor Marquardt: Chamber has decided to cancel the food truck events for this year; need to have a discussion about recreational marihuana; City residents have voted in favor of such; Commission must have a discussion on this and review it to make a decision.

**138 2020 07-06 ADJOURNMENT**

Motion by Cattane.

Adjourn the regular meeting at 7:18 p.m.

Ayes: Atwood, Stroh, Cattane, Osentoski, Pattison.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 7:18 p.m.

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Debbie Marquardt, Mayor

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Romona Sanchez, City Clerk